

**Case No. 880.** BANK OF COLUMBIA v. SCOTT.  
[1 Cranch, C. C. 134.]<sup>1</sup>

Circuit Court, District of Columbia.

July Term, 1803.

Pleading—General Issue—General Demurrer—Plea in Abatement. The court will not suffer the general issue to be struck out to give the defendant leave to plead in abatement.

On the day set for trial of this cause, Mr. Caldwell [for G. Scott's administrator] moved for leave to strike out the general issue, and file a general demurrer, on the ground that he is named in the writ and declaration, administrator generally, whereas he is administrator with the will annexed. Non allocat

MARSHALL, Circuit Judge, absent

<sup>1</sup> [Reported by Hon. William Cranch, Chief Judge.]